

REMARKS

Claim 1 remains allowed and Claim 2 has been finally rejected under 35 USC 103. In response, applicant has canceled the rejected claim, which is believed to put this case in condition to pass to issue. Applicant will pursue the matter of the rejected claim in a Continuing case.

(It is noted that the PTOL-326 incorrectly states that Claim 2 is allowed and Claim 1 is finally rejected. However, this is believed to be in error, since it is contrary to the previous Office Action and to the remarks in the Examiner's letter. We have proceeded on the basis that the Examiner's letter is the correct statement of the Examiner's action.)

THEREFORE, since after the cancellation of Claim 2 no contested matters remain in the case, and since Claim 1 has been allowed, no substantive re-examination is required subsequent to this amendment, this amendment complies with 37 CFR 116, and favorable action is respectfully solicited.

Respectfully submitted,

Richard A. Nygaard, Jr.

By Edward L. Miller

Edward L. Miller
Agent of Record
Reg.# 29,331

15 April 2004
(970) 679-3677
Agilent Technologies, Inc.
815 14th St. S.W.
Loveland, Colorado 80537
ELM:elm